

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

TREMAIN HOGAN,

Plaintiff,

Case No. 3:23-cv-226

vs.

ANNETTE CHAMBERS SMITH, *et al.*,

Defendants.

District Judge Michael J. Newman

Magistrate Judge Stephanie K. Bowman

ORDER: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (Doc. No. 5); (2) DENYING PLAINTIFF'S MOTION FOR INJUNCTIVE RELIEF WITHOUT PREJUDICE (Doc. No. 4); AND (3) DISMISSING ANY PART OF PLAINTIFF'S CLAIMS THAT SEEK IMMEDIATE OR SPEEDIER RELEASE FROM STATE CUSTODY OR MAY DIRECTLY CHALLENGE THE RESULTS OF PLAINTIFF'S POST-RELEASE CONTROL VIOLATION HEARING(S)

The Court has reviewed the Report and Recommendation of Magistrate Judge Stephanie K. Bowman (Doc. No. 5), to whom this case was referred pursuant to 28 U.S.C. § 636(b). The parties have not filed objections to the Report and Recommendation and the time for doing so under Fed. R. Civ. P. 72(b) has expired. Accordingly, the Court: (1) **ADOPTS** the Report and Recommendation of the Magistrate Judge (Doc. No. 5) in its entirety; (2) **DENIES** Plaintiff's motion for injunctive relief without prejudice (Doc. No. 4); and (3) **DISMISSES** any part of Plaintiff's claims that seek immediate or speedier release from state custody or may directly challenge the results of Plaintiff's post-release control violation hearing(s).

IT IS SO ORDERED.

Date: October 16, 2023

s/ Michael J. Newman

Michael J. Newman

United States District Judge